IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Bernard Haveaux, et al. Examiner: **D. Tarazano**

Serial No. **Not Assigned** Art Unit: **1773**

Filed:

For: **Polyolefins and Uses Thereof**

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Box Patent Application
Honorable Commissioner of
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Washington, D.C. 20231

Sir:

PRELIMINARY AMENDMENT

Prior to initial examination of the patent application filed herewith, which is a division of U.S. Patent Application No. 09/233,829, filed January 20, 1999, please amend the application as follows.

In the Specification

Please insert as the first paragraph of the specification the following:

--This application is a division of U.S. Patent Application No. 09/233,829, filed January 20, 1999, and entitled Polyolefins and Uses Thereof.--

In the Claims

Please cancel claims 1-33. Please add new claims 34-60 as set forth below.

34. (New) An article or material comprising at least one of (a)-(u), wherein at least a portion of said at least one of (a)-(u) includes a syndiotactic/atactic block polypropylene component, and wherein (a)-(u) includes:

(a) a polyolefin modifier;
(b) an adhesive material;
(c) a shock absorber;
(d) a waterproof membrane;
(e) a packaging film;
(f) a drawn fiber, film or thread;
(g) a shapable material;
(h) an acoustic absorbent;
(i) a foam material;
(j) an oil spill absorbent;
(k) footwear;
(l) a gamma irradiation stable material;
(m) a shapable composition;
(n) a composition for molding into a footwear component;
(o) a bitumen modifier;
(p) at least one of a compatibilizer, an emulgator and an emulsifier;
(q) a coextrudate;
(r) a viscosity enhancer;
(s) a plastics recycle material;
(t) motor oil; and
(u) a thermoplastic elastomer gel.

35. (New) The article or material of claim 34, wherein the molecular weight of the syndiotactic/atactic block polypropylene is at least 120kD.

36. (New) The article or material of claim 34, wherein the syndiotactic/atactic block polypropylene has alternating blocks of syndiotactic and atactic sequecences.

37. (New) A polyolefin modified with the polyolefin modifier of claim 34.

38. (New) The polyolefin of claim 37, wherein the polyolefin is a high impact resistant polypropylene and wherein the polyolefin modifier is a dispersion of the syndiotactic/atactic block polypropylene in a continuous phase of at least one of isotactic and copolymeric polypropylene.

39. (New) The polyolefin of claim 38, wherein the amount of syndiotactic/atactic block polypropylene is in the range of from about 3 to about 50% by weight of the polypropylene.

40. (New) The article or material of claim 34, wherein the adhesive material also includes at least one other component selected from a wax, a tackifying resin and a reinforcing resin.

41. (New) The article or material of claim 34, wherein the article or material is a shock absorber.

42. (New) The article or material of claim 34, wherein the waterproof membrane is a sheet of syndiotactic/atactic block polypropylene modified with at least one of carbon black, a UV absorber, an antioxidant and a weather resistance enhancer.

43. (New) The article or material of claim 34, wherein the shapable composition has a continuous phase of syndiotactic/atactic block polypropylene in which is dispersed isotactic polypropylene, copolymeric polypropylene or another polymer.

44. (New) The article or material of claim 43, wherein the shapable composition softens upon heating and becomes rigid upon subsequent cooling.

45. (New) A plaster cast formed from the shapable composition of claim 44.

46. (New) The article or material of claim 34, wherein the acoustic absorbent includes a blend, laminate or coextrudate of syndiotactic/atactic block polypropylene with at least one of isotactic, syndiotactic or copolymeric polypropylene, or another polymer.

47. (New) The article or material of claim 34, wherein the article or material is a foam material.

48. (New) The foam material of claim 47, wherein a polyolefin is blended with the syndiotactic/atactic block polypropylene.

49. (New) The foam material of claim 47, wherein the foam material is formed by one of an extruded molded foam, injection molded foam and a compressed foam.

50. (New) The article or material of claim 34, wherein the article or material is footwear, and wherein the syndiotactic/atactic polypropylene also includes at least one of plasticizers, polymeric fillers, mineral fillers and protective agents.

51. (New) The article or material of claim 34, the portion of at least one of (a)-(u) also includes a mineral filler.

52. (New) A bitumen composition comprising bitumen blended with the bitumen modifier of claim 34.

53. (New) The bitumen composition of claim 52, wherein the amount of syndiotactic/atactic polypropylene is less than 35% by weight of the composition.

54. (New) The article or material of claim 34, wherein the article or material is motor oil.

55. (New) The article or material of claim 34, wherein the article or material is a thermoplastic elastomer gel, and wherein the syndiotactic/atactic block polypropylene is crosslinked.

56. (New) The article or material of claim 34, wherein the article or material is an oil spill absorbent.

57. (New) The article or material of claim 34, wherein the article or material is plastics recycle material.

58. (New) The article or material of claim 34, wherein the article or material is a gamma irradiation stable composition.

59. (New) The article or material of claim 34, wherein the syndiotactic/atactic block polypropylene component has a fraction of syndiotactic triads (rr) of at least 70% as determined by ^{13}C NMR and has a weight average molecular weight (Mw) measured by gel permeation chromatography (GPC) of at least 120,000.

60. (New) An article or material comprising at least one of (a)-(u), wherein at least a portion of said at least one of (a)-(u) includes a syndiotactic/atactic block polypropylene component having a fraction of syndiotactic triads (rr) of at least 70% as determined by ^{13}C NMR and has a weight average molecular weight (Mw) measured by gel permeation chromatography (GPC) of at least 120,000, and wherein (a)-(u) includes:

(a) a polyolefin modifier;
(b) an adhesive material;
(c) a shock absorber;
(d) a waterproof membrane;
(e) a packaging film;
(f) a drawn fiber, film or thread;
(g) a shapable material;
(h) an acoustic absorbent;
(i) a foam material;
(j) an oil spill absorbent;
(k) footwear;
(l) a gamma irradiation stable material;
(m) a shapable composition;
(n) a composition for molding into a footwear component;
(o) a bitumen modifier;
(p) at least one of a compatibilizer, an emulgator and an emulsifier;
(q) a coextrudate;
(r) a viscosity enhancer;
(s) a plastics recycle material;
(t) motor oil; and
(u) a thermoplastic elastomer gel.

Remarks

Applicants are submitting this preliminary amendment in the application filed herewith to further prosecute those non-elected claims that were cancelled in the previously filed parent application, Serial No. 09/233,829. Applicants have cancelled all of the original claims 1-33, and have added new claims 34-60, which generally correspond to those non-elected claims of the prior application and which have now been cancelled. Payment in the amount of $866.00 is enclosed for the required filing fee under 37 C.F.R. 1.16.

The newly submitted claims are provided to correct for certain informalities in the original claims and to place the claims in a better format for purposes of examination and are not made for reasons of patentability.

In view of the above amendments and remarks, favorable action is respectfully requested.

If any petition for extension of time is required for continued prosecution of this application, such petition is hereby requested. If any additional fee is deemed necessary, the Commissioner is hereby authorized to charge such fee to Deposit Account No. 50-1899.

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